

INFORMATION ON PROPOSED RULE FOR SURFACE APPLICATION OF MANURE ON FROZEN OR SNOW-COVERED GROUND

BACKGROUND

In winter and early spring there is an increased potential for runoff due to snowmelt or rainfall because water is not able to infiltrate soils that are frozen or snow-covered. Surface application of manure under these conditions can lead to lost nutrients and water quality violations. The risk of runoff is higher for liquid manure. However, runoff from fields where solid manure is applied can also contain dissolved nitrogen and phosphorus.

To reduce the potential impact of runoff on Iowa's water resources, the DNR has drafted rules that would prohibit surface application of manure on frozen or snow-covered ground under certain conditions. Surface application would be prohibited when the risk of runoff is highest such as late winter just prior to snowmelt, on steeply sloping ground and in areas near tile intakes. Current rules prohibit surface application of manure near streams, wells and other designated areas.

Farms subject to the proposed rule may have to modify manure application practices or increase the amount of manure storage to comply with the rule, if adopted. The rule would also require producers to develop maps showing areas where surface application would be restricted when the ground is frozen or snow-covered. Please see other side for a detailed flow chart of conditions and areas where restrictions would apply.

TIMELINE

Iowa's Environmental Protection Commission passed a resolution in June 2008 requesting staff to draft a rule addressing winter manure application. The draft rule is now out for public comment until March 27, 2009. If the commission approves the draft rule for final adoption, the rule would become effective Oct. 1, 2009.

RULE BASICS

- The proposed rules DO NOT APPLY if manure can be injected or incorporated within 24 hours after application.
- The proposed rules limit surface application of manure when the ground is frozen or snow-covered to low risk areas and conditions until Feb. 15.
- From Feb. 15 to April 15 surface application is prohibited if the ground is frozen or snow covered.¹
- The proposed rules apply to all open feedlot and confinement animal feeding operations that are required to have a nutrient or manure management plan (NMP or MMP).

- The proposed rules could apply to small operations that cause water quality violations due to application of manure, if enforcement action is initiated.
- Scraped snow and ice from open feedlots are specifically exempted from the proposed rules.
- Frozen ground is defined as ground made impenetrable due to frozen soil moisture. Ephemeral frost, where the ground is frozen in the first 2 inches or less below the surface, is not considered frozen.
- Snow-covered ground is defined as areas with 1 inch or more of snow covering the ground or any area of continuous ice coverage.

PUBLIC COMMENT INVITED

The rules are available online at <http://www.iowadnr.gov/afo/newrules.html>

People can make oral comments or submit comments in writing at the following public hearings:

- Des Moines, March 16 at 9 a.m.—Wallace State Office Building Auditorium, 502 E. Ninth St.
- Ainsworth, March 16, 6 p.m.—Washington County Conservation Education Center, Marr Park, 2943 Highway 92
- Dedham, March 18, 6 p.m.—Dedham American Legion (Centennial Center), 302 Main St.
- Calmar, March 20, 1 p.m.—Room 115, Dairy Center, 1527 Highway 150 S.
- Orange City, March 23, 6 p.m.—City Hall, 125 Central Ave. S.E.
- Mason City, March 24, 6 p.m.—Lime Creek Nature Center, 3501 Lime Creek Road

People may also send written comments directly to:

Claire Hruby
Iowa DNR
502 E. Ninth St.
Des Moines, IA 50319

or by e-mail to Claire.Hruby@dnr.iowa.gov.

All comments must be submitted by 5 p.m. on March 27. For more information, call Claire Hruby at (515) 242-6848 or Claire.Hruby@dnr.iowa.gov

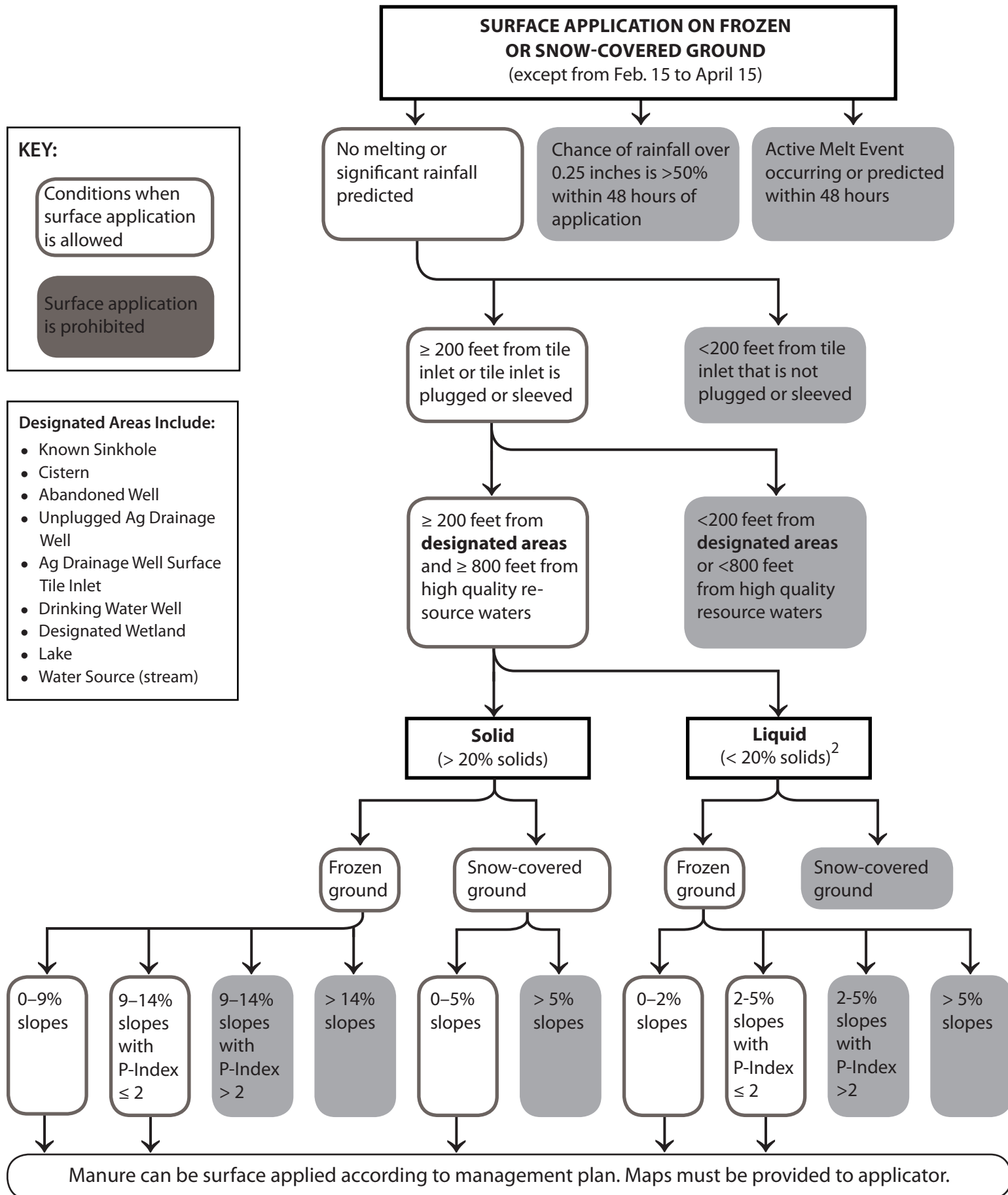
1. The DNR proposes an effective date of October 2010 for solid manure from deep-bedded beef operations, allowing surface application from Feb. 15 to April 15 in 2009 if the ground is frozen or snow-covered.

Draft - January 2009. Final rule will depend upon public comment and approval by the Environmental Protection Commission



SURFACE MANURE APPLICATION ON FROZEN OR SNOW-COVERED GROUND

This flow chart will be helpful in determining when and where surface application would be allowable during winter under proposed rules. If approved, the rules would be effective October 2009.



2. Due to a clerical error, the rule proposal defined liquid as less than 15% for manure from open feedlots.